

**ORIGINAL**

AO 440 (Rev. 8/01) Summons in a Civil Action

FILED  
IN CLERK'S OFFICE

UNITED STATES DISTRICT COURT 2005 APR 27 P 12:32

District of **MASSACHUSETTS**

U.S. DISTRICT COURT  
DISTRICT OF MASS.

COUNTY OF NASSAU,

Plaintiff,

**SUMMONS IN A CIVIL CASE**

V.

CASE NUMBER: 05-10179-PBS

(See attached Schedule A)

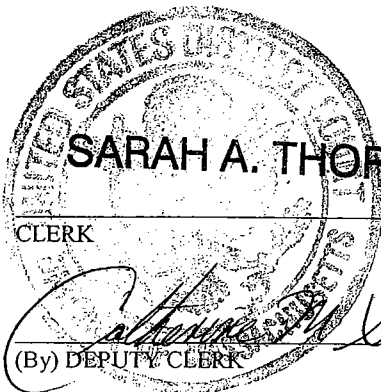
MDL No. 1456

TO: (Name and address of Defendant)  
Boehringer Ingelheim Corp.  
P.O. Box 368  
900 Ridgebury Road  
Ridgefield, CT 06877-0368  
Fairfield County

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael M. Buchman, Esq.  
Milberg Weiss Bershad & Schulman LLP  
1 Pennsylvania Plaza  
New York, New York 10119-0165

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



CLERK

DATE

3-18-05

10179

AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**Service of the Summons and Complaint was made by me <sup>(1)</sup>

DATE

NAME OF SERVER (*PRINT*)

TITLE

*Check one box below to indicate appropriate method of service*

- ☐ Served personally upon the defendant. Place where served: \_\_\_\_\_  
\_\_\_\_\_
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ Other (Specify): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATEMENT OF SERVICE FEES**

Travel

Services

Total

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
Date

\_\_\_\_\_  
*Signature of Server*

\_\_\_\_\_  
*Address of Server*

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Schedule A

Abbott Laboratories, Inc.  
100 Abbott Park Road  
Abbott Park, IL 60064-3502  
Lake County

Agouron Pharmaceuticals Inc.  
10350 North Torrey Pines Road, Suite 100  
La Jolla, CA 92037  
San Diego County

Amgen, Inc.  
One Amgen Drive  
Thousand Oaks, CA 91320  
Ventura County

AstraZeneca U.S.  
Astr&Zeneca Pharmaceuticals L.P.  
1800 Concord Pike  
Wilmington, DE 19897-0001  
New Castle County

Aventis S.A.  
Aventis Behring L.L.C.  
1020 First Avenue  
King of Prussia, PA 19406  
Montgomery County

Aventis Pharmaceuticals Inc.  
300-400 Somerset Corporate Boulevard  
Bridgewater, NJ 08807-2855  
Somerset County

Barr Laboratories, Inc.  
2 Quaker Road, Box 2900  
Pomona, NY 10970-0519  
Rockland County

Baxter Health Care Corp.  
One Baxter Parkway  
Deerfield, IL 60015-4625  
Lake County

Bayer Corporation  
100 Bayer Road  
Pittsburgh PA 15205-9707  
Allegheny County

Berlex Laboratories, Inc.  
300 Fairfield Road  
Wayne, NJ 07470  
Passaic County

Biogen, Inc.  
14 Cambridge Center  
Cambridge, MA 02142  
Middlesex County

Boehringer Ingelheim Corp.  
P.O. Box 368  
900 Ridgebury Road  
Ridgefield, CT 06877-0368  
Fairfield County

Bristol-Myers Squibb Company  
345 Park Avenue  
New York, NY 10154-0001  
New York County

Chiron Corporation  
4560 Horton Street  
Emeryville, CA 94608-2916  
Alameda County

Eli Lilly and Company  
Lilly Corporate Center  
Indianapolis, IN 46285  
Marion County

Forest Pharmaceuticals Inc.  
13600 Shoreline Drive  
St. Louis, MO 63045  
Saint Louis County

Fujisawa Health Care, Inc.  
Three Parkway North  
Deerfield, IL, 60015  
Lake County

Genentech, Inc.  
One DNA Way  
South San Francisco, CA 94080-4918  
San Mateo County

Genzyme Corp.  
500 Kendall Street  
Cambridge, MA 02142  
Middlesex County

SmithKline Beecham Corporation, d/b/a GlaxoSmithKline  
One Franklin Plaza  
Philadelphia, PA 19102  
Philadelphia County  
Delaware Corp.,

Immunex Corporation  
51 University Street  
Seattle, WA 98101-2918  
King County

Ivax Corp.  
4400 Biscayne Blvd.  
Miami, FL 33137  
Miami-Dade County

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933  
Middlesex County

Janssen Pharmaceutical Products  
1125 Trenton-Harbourton Road  
Titusville, NJ 08560  
Mercer County

Ortho-McNeil Pharmaceuticals, Inc.  
1000 U.S. Route 202 South  
Raritan, NJ 08869  
Somerset County

Ortho Biotech Inc.  
700 U.S. Highway 202  
Raritan, NJ 08869  
Somerset County

Key Pharmaceuticals, Inc.  
1011 Morris Ave.  
U-13-2 2900  
Union, NJ 07083  
Union County

MedImmune, Inc.  
35 W. Watkins Mill Road  
Gaithersburg, MD 20878  
Montgomery County

Merck & Co., Inc.  
One Merck Drive, P.O. Box 100  
Whitehouse Station, NJ 08889-0100  
Hunterdon County

Mylan Laboratories Inc.  
1500 Corporate Drive  
Suite 400  
Canonsburg, PA 15317  
Washington County

Novartis Pharmaceuticals Corporation  
One Health Plaza  
East Hanover, NJ 07936-1016  
Morris County

Organon Inc., USA  
375, Mount Pleasant Avenue  
West Orange, NJ 07052  
Essex County

Pfizer, Inc.  
235 East 42nd St.  
New York, NY 10017-5703  
New York County

Pharmacia Corp.  
235 East 42nd St.  
New York, NY 10017-5703  
New York County

Purdue Pharma, L.P.  
One Stamford Forum  
201 Tresser Boulevard  
Stamford, CT 06901-3516

Fairfield County

Reliant Pharmaceuticals LLC  
721 Route 202/206  
South Bridgewater, NJ 08807  
Somerset County

Sanof-Synthelabo, Inc.  
One Wall Street  
New York, NY 10286  
New York County

Schering-Plough Corp.  
2000 Galloping Hill Rd.  
Kenilworth, NJ 07033-1310  
Union County

Serono, Inc.  
One Technology Place  
Rockland, MA 02370  
Plymouth County

Takeda Pharmaceuticals North America, Inc.  
475 Half Day Road  
Lincolnshire, IL 60069  
Lake County

TAP Pharmaceutical Products, Inc.  
675 North Field Drive  
Lake Forest, IL 60045  
Lake County

Warrick Pharmaceuticals Corp.  
12125 Moya Boulevard  
Reno, NV 89506-2600  
Washoe County

Wyeth  
Five Giralda Farms  
Madison, NJ 07940-1027  
Morris County

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

Attorney(s): Michael M. Buchman, Esq.  
Address: Milberg Weiss Bershad & Schulman LLP  
1 Pennsylvania Plaza, New York, NY 10119

**AFFIDAVIT OF SERVICE**

**COUNTY OF NASSAU,**

Plaintiff,

VS.

Case No.: 05-10179-PBS  
MDL No. 1456

**ABBOTT LABORATORIES, INC., AGOURON  
PHARMACEUTICALS, INC., ET AL**  
Defendant(s).

**STATE OF CONNECTICUT:  
COUNTY OF FAIRFIELD: S.S.**

**ERIC RUBIN** BEING DULY SWORN DEPOSES AND SAYS: That deponent is not a party to this action, is over the age of 18 years and resides in the State of Connecticut.

That on **MARCH 24, 2005 at 11:00 AM** at **CT CORPORATION SYSTEM, 1 COMMERCIAL PLAZA, HARTFORD, CT 06103** Deponent made due service of the within **Summons in a Civil Case, Complaint, Jury Trial Demanded, Civil Cover Sheet, Rule 7.1 Statement, Summons in a Civil Case, Amended Complaint, Civil Cover Sheet**, on **BOEHRINGER INGELHEIM CORP.** defendant therein named.

( ) **INDIVIDUAL**: By delivering a true copy of each to said recipient personally; deponent knew or had reason to believe the person to be the individual described within.

(X) **CORPORATION**: By delivering thereat a true copy of each to **MARY FORAN** at the above address and he (she) knew the person so served to be the **FULFILLMENT SPECIALIST AT CT CORPORATION SYSTEM, REGISTERED AGENT** and said person stated that they were authorized to accept on behalf of the corporation.

( ) **SUITABLE AGE PERSON**: By delivering thereat a true copy of each to \_\_\_\_\_ (relationship) \_\_\_\_\_, a person of suitable age and discretion. Said premises is defendant's \_\_\_\_\_ actual place of business \_\_\_\_\_ dwelling house (usual place of abode) within the state.

( ) **MAILING**: Deponent also enclosed a true copy of each in a first class postpaid sealed envelope properly addressed to the defendant at defendant's last known residence at \_\_\_\_\_ on \_\_\_\_\_ and deposited said envelope in an official depository under exclusive care and custody of the United States Postal Service within the state where service was effected. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside, by return address or otherwise, that the communication concerned an action against the defendant.


**DESCRIPTION**: Deponent describes the individual served as follows:

SEX	SKIN COLOR	HAIR COLOR	AGE	HEIGHT	WEIGHT	OTHER
Female	White	Brown	36-50	5'4"-5'8"	100-130 lbs	

Attest,

  
Eric Rubin, Private Process Server

Sworn to before me on March 25, 2005

  
Ksenia V. Rubin  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires 12/31/07



AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 3/24/05 at 11:00 AM
NAME OF SERVER (PRINT) Eric Rubin	TITLE Private Process Server

Check one box below to indicate appropriate method of service

- ☒ Served personally upon the defendant. Place where served: CT Corporation System, 1 Commercial Plaza, Hartford, CT 06103. Mary Foran, Fulfillment Specialist at CT Corporation System, Registered Agent, accepted service on behalf of-
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and corporation discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:☐ Other (specify):**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL \$0.00
--------	----------	--------------

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 3/25/05  
Date

  
Signature of Server

181 Hillside Ave  
Williston Park, NY 11596  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.